

13281 U.S. PTO  
020404

PATENT  
Customer Number 22,852  
Attorney Docket No. 2356,0053-09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Mail Stop Patent Application**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

31353 U.S. PTO  
10/770418  
020404

Prior Application Art Unit: 1631 Prior Application Examiner: John S. Brusca

SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 10/639,754, filed August 13, 2003, of Herve LE MOUELLIC and Philippe BRULET for PROCEDURE FOR SPECIFIC REPLACEMENT OF A COPY OF A GENE PRESENT IN THE RECIPIENT GENOME BY THE INTEGRATION OF A GENE DIFFERENT FROM THAT WHERE THE INTEGRATION IS MADE.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 10/639,754 as originally filed on August 13, 2003, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☐ Cancel Claims \_\_\_\_\_.
5. ☒ A Preliminary Amendment is enclosed.

6. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$750	\$ 750.00
	Number of Claims		Basic	Extra Claims		
Total Claims	55	-	20	35	x \$18	630.00
Independent Claims	9	-	3	6	x \$84	756.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	0.00
Subtotal						\$ 2,136.00
Reduction by 1/2 if small entity						- 0.00
TOTAL APPLICATION FILING FEE						\$ 2,136.00

7. ☒ A check in the amount of \$2,136.00 to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ New acceptable drawings are enclosed.
10. ☒ The prior application is assigned of record to: INSTITUT PASTEUR
11. ☒ Priority of Applications No. 8903630, filed on March 20, 1989 in France and PCT/FR90/00185, filed March 19, 1990 are claimed under 35 U.S.C. § 119. Certified copies  
☐ is enclosed or ☒ are on file in the prior application.
12. ☐ Small entity status is appropriate and applies to this application.
13. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg.

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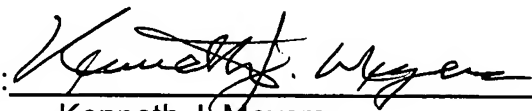
14. ☒ The power appears in the original declaration of the prior application.
15. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

16. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
17. ☐ Recognize as associate attorney \_\_\_\_\_
18. ☒ Also enclosed is Submission of Formal Drawings including 12 Sheets of Formal Drawings (Figs. 1-9C)

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 10/639,754, filed August 13, 2003, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 4, 2004

By:   
Kenneth J. Meyers  
Reg. No. 25,146

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Application of: )  
Herve LE MOUELLIC et al. ) Prior Appln. No. 10/639,754  
Application No.: To Be Assigned ) Prior Group Art Unit: 1632  
Filed: February 4, 2004 ) Prior Examiner: John S. Brusca  
For: PRODUCER FOR SPECIFIC )  
REPLACEMENT OF A COPY )  
OF A GENE PRESENT IN THE )  
RECIPIENT GENOME BY THE )  
INTEGRATION OF A GENE )  
DIFFERENT FROM THAT )  
WHERE THE INTEGRATION )  
IS MADE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUBMISSION OF FORMAL DRAWINGS**

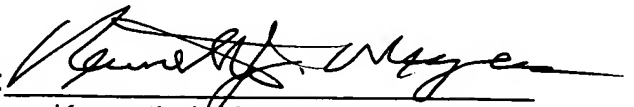
Subject to the approval of the Examiner, please replace the informal drawings with the twelve (12) sheets of formal drawings filed herewith (Figures 1-9C).

If the formal drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Kenneth J. Meyers  
Reg. No. 25,146

Dated: February 4, 2004

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